

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICHAEL A. WOOD,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendant.

CASE NO. 2:22-CV-636-DGE-DWC

ORDER REQUESTING RESPONSE  
TO MOTION FOR  
RECONSIDERATION (DKT. 122)

The District Court referred this action to Magistrate Judge David W. Christel. This matter is before the Court on Plaintiff's motion for reconsideration of the Court's Order (Dkt. 113) which, in pertinent part, declined to lift an existing discovery stay as to Defendant Bureau of Prisons ("BOP") and denied Plaintiff's renewed request for counsel. Dkt. 122.

Pursuant to Local Civil Rule 7(h)(1), motions for reconsideration are disfavored and will be denied absent a showing of manifest error or a showing of new facts or legal authority which could not have been presented earlier with reasonable diligence. No response is permitted to such a motion, unless requested by the Court. LCR 7(h)(3).

1 Plaintiff's motion with respect to the stay of discovery against the Bureau of Prisons  
2 ("BOP") is DENIED as moot. Discovery was stayed only pending the resolution of BOP's  
3 motion to dismiss. *See* Dkt. 60 at 4. The District Court has now issued its order adopting in part  
4 this Court's Report and Recommendation on the motion to dismiss. Dkt. 127. The motion to  
5 dismiss has therefore been resolved, and the discovery stay has therefore expired. Plaintiff's  
6 motion for reconsideration is therefore moot.

7 The Court requests Defendants' response to Plaintiff's motion with respect to the  
8 appointment of counsel. The Court sets the following briefing schedule:

- 9 • On or before November 17, 2023, any Defendant who wishes to be heard on the  
10 issue of the appointment of counsel shall file a response to Plaintiff's motion for  
11 reconsideration and shall address whether counsel should be appointed. No reply  
12 will be permitted.
- 13 • The Clerk is directed to re-note Plaintiff's motion for reconsideration for  
14 November 17, 2023.

15 Dated this 1st day of November, 2023.

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17 David W. Christel  
18 Chief United States Magistrate Judge  
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